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## PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

03-1345

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on \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Application Number

10/736,386

Filed

December 15, 2003

First Named Inventor

Bruce Whitefield

Art Unit

2128

Examiner

Hugh M. Jones

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

applicant/inventor.

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

attorney or agent of record. Registration number \_\_\_\_\_

39,979

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 \_\_\_\_\_



Signature

James R. Foley

Typed or printed name

312-704-1890

Telephone number

May 11, 2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## REASONS FOR REVIEW

In the final Office Action mailed on March 5, 2009, the Examiner rejected claims 1-2 and 5-21 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 5,864,394 (Jordan, III et al.), rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over Jordan, III et al. in view of United States Patent No. 6,885,950 (Misutake et al.), and rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over Jordan, III et al. in view of United States Patent No. 7,065,239 (Maaya et al.). Applicant respectfully traverses.

Claim 1 specifically claims, among other things, the step of defining an appropriate product/device input dataset for a plurality of different die sizes and products, wherein the dataset comprises information relating to the size of each die in two directions as well as the location of at least one of the corners of each die. Claim 1 also claims using this dataset to generate a table of lots and wafer of a product/device with a virtual die coordinate for each die and a corresponding value.

In the Office Action, the Examiner asserted that Figure 7 of Jordan, III et al. discloses “information relating to the size of each die in two directions as well as the location of at least one of the corners of each die.” While this may be true, Applicant is not merely claiming that. Applicant is claiming the step of defining an appropriate product/device input dataset for a plurality of different die sizes and products (wherein the dataset comprises physical correlation reference points comprising information relating to the size of each die in two directions as well as the location of at least one of the corners of each die), and collecting a die level yield bin dataset for one of the products/devices by using the product/device input dataset to generate a

table of data for the lots and wafers of said one of the products/devices with a virtual die coordinate for each die and a corresponding value.

Figure 7 of Jordan, III et al. merely illustrates a wafer, and the fact that it includes a repeating pattern (see col. 12, lines 37-43). Figure 7 of Jordan, III et al. discloses a plurality of dies on a wafer and that the dies have corners, etc., but does not disclose providing a dataset which comprises information relating to the size of each die in two directions as well as the location of at least one of the corners of each die.

Applicant respectfully submits that Jordan, III et al. fails to disclose defining a dataset as recited in claim 1 (i.e., one which comprises physical correlation reference points comprising information relating to the size of each die in two directions as well as the location of at least one of the corners of each die), let alone using the dataset as recited in claim 1 (i.e., to generate a table of data for the lots and wafers of said one of the products/devices with a virtual die coordinate for each die and a corresponding value).

Additionally, Applicant respectfully submits that Jordan, III et al. is very different from the present invention. Jordan, III et al. deals with scanning for anomalies. That is not what the present invention is directed to. In contrast, the present invention is directed to calculating high-resolution wafer parameter profiles.

Figure 7 of Jordan, III et al. merely illustrates a wafer, and the fact that it includes a plurality of dies on a wafer and that the dies have corners, etc. However, no where is it disclosed or suggested to provide a dataset which comprises information relating to the size of each die in two directions as well as the location of at least one of the corners of each die, and using this

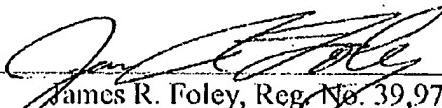
dataset to generate a table of data for the lots and wafers of said one of the products/devices with a virtual die coordinate for each die and a corresponding value.

Applicant respectfully submits that the pending claims are patentable over the cited references and are allowable. In view of the above remarks, Applicant respectfully requests that the present application be passed to issuance.

Respectfully submitted,

Date: May 11, 2009

By:



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